

**Introduced by Senator Nielsen**

February 21, 2014

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An act to add Section 322.5 to the Unemployment Insurance Code, relating to identity theft.

**LEGISLATIVE COUNSEL'S DIGEST**

SB 1435, as introduced, Nielsen. Identity theft: unemployment insurance base wage file.

Existing law creates the Employment Development Department and requires that it pay unemployment compensation benefits to individuals who meet specified requirements, are unemployed, as defined, and file a valid claim for these benefits. Existing law requires employers to send the department specified information regarding their employees, including wage information and social security numbers. The department maintains a file of wage records of employees for the purpose of computing earnings in a base period to establish amounts for unemployment benefits. Existing law requires the director of the department to share information in its possession under specified circumstances.

This bill would require the department to review, at least once each year, the information in its unemployment insurance base wage file, to identify if multiple names are associated with a single social security number. The bill would require the department, whenever it discovers 3 or more names associated with a single social security number, to inform the Department of Justice of this, along with relevant supporting information, as a potential incidence of identity theft.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 322.5 is added to the Unemployment  
2 Insurance Code, to read:  
3     322.5. The department shall review, at least once each year,  
4 the information in its unemployment insurance base wage file, to  
5 identify instances in which multiple names are associated with a  
6 single social security number. Whenever the department discovers  
7 as part of this review, or in the course of any other investigation  
8 or circumstance, three or more names associated with a single  
9 social security number, it shall inform the Department of Justice  
10 of this fact, along with relevant supporting information, as a  
11 potential incidence of identity theft.

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